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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/042,658	01/08/2002	Brian Carl Stanz	3601-58	6991

51206 7590 10/31/2006

TOWNSEND AND TOWNSEND AND CREW LLP
TWO EMBARCADERO CENTER
8TH FLOOR
SAN FRANCISCO, CA 94111-3834

EXAMINER

LERNER, MARTIN

ART UNIT	PAPER NUMBER
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2626

DATE MAILED: 10/31/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/042,658

Applicant(s)

STANZ ET AL.

Examiner

Martin Lerner

Art Unit

2626

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 18, 20 to 24, and 30 to 36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 18, 20 to 24, and 30 to 36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 October 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 18, 20 to 22, 24, and 30 to 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Malcolm* in view of *Peterson et al.*

Concerning independent claims 18, and 34 to 36, *Malcolm* discloses a method, system, and software program for supporting multilingual translations, comprising:

“providing a first iteration of a source software program, wherein said source software program comprises at least a first component written in a first natural language” – language dependent file 70 is written in English (column 9, lines 55 to 60: Figures 4 and 5); object code file 32 defines screen panels for an application entering customer data for transactions (“a source software program”) (column 4, lines 55 to 58: Figures 3a to 3c and Figure 4); English is “a first natural language”;

“determining a translation status of said at least a first component with respect to at least a second natural language” – pseudo-code for aiding translation of a language dependent file 70 into another language dependent file 100 suitable for a particular language to be supported is provided (column 9, lines 55 to 67: Table 2: Figure 4);

language dependent file 100 is in German, “a second natural language”; a change log file 140 is generated to track and log changes made during development by comparing a current version of language dependent file 70 with a previous version of language dependent file 136 (“determining a translation status”) (column 10, line 16 to column 11, line 25: Table 3: Figure 4);

“providing for the translation of said at least a first component of said source software program into a second natural language, wherein said translated first component is part of a target software program” – pseudo-code (“software”) for aiding translation of a language dependent file 70 into another language dependent file 100 suitable for a particular language to be supported is provided (column 9, lines 55 to 67: Table 2: Figure 4);

“updating a translation status of said at least a first component with response to said second natural language” – a log entry creates a log entry of a date and time of changes, and whether a file string is “Change” or “New” (column 11, lines 10 to 20: Table 3: Figure 4);

“providing a second iteration of said software program, after providing for the translation of said at least a first component of said source software program” – changes in a software development cycle pass through various stages prior to the end product (column 10, lines 16 to 56); a log entry creates a date and time of changes, and whether a file string is “Change” or “New” (column 11, lines 10 to 20: Table 3: Figure 4); thus, iterative changes to software in development are provided, and status of a text string is entered in change log file 140 as “Change or “New”.

Concerning independent claims 18, and 34 to 36, *Malcolm* discloses a windowed user interface for supporting multilingual translations of application programs, but does not clearly show simultaneous display for a translator of first software components in a first format, and software component translated into a second language in a second format, for the limitations “wherein providing for the translation of said at least a first component of said source software program comprises simultaneously displaying for a translator (i) said at least a first component of said software in a first format, and (ii) said at least first component of said software translated into said second language in a second format, wherein said first format comprises a format in which said at least a first component in said first natural language is displayed by a version of said software utilizing a first component in said first natural language, and wherein said second format comprises a format in which said at least a first component is displayed in a version of said software utilizing said translation of said first component into said second natural language.”

However, it is known in the prior art to provide simultaneous displays to a translator of text in a first language and the corresponding translated text in a second language. Specifically, *Peterson et al.* discloses context-based computer-assisted language translation, where a linguist who is assigned to translate a document accesses a graphical user interface. A file identifier window 100 contains a portion of the original language document that is to be translated in an original language text window 102, and a corresponding translation language text is displayed in a window 104. The original language text is reproduced in an Original Language edit window 106,

and the linguist may enter translation language text in a Translation Language edit window 108. (Column 5, Line 52 to Column 6, Line 29: Figure 6) Thus, *Peterson et al.* discloses providing simultaneous displays to a translator of a component of a document in first and second natural languages, and in first and second formats, represented by windows 102, 104, and edit windows 106, 108, respectively. Moreover, *Peterson et al.* discloses that documents to be translated may be coded in HTML or XML markup language formats. (Column 4, Lines 35 to 39) An objective is to assist a translation of an original document from an original language into a translation language by leveraging previously translated documents, thereby providing improved efficiency and quality. (Column 1, Lines 8 to 25; Column 1, Lines 35 to 45) It would have been obvious to one having ordinary skill in the art to simultaneously display to a translator a component of a document to be translated in a first natural language and a second natural language, and in first and second formats, as taught by *Peterson et al.* in a method, system, and software program for translating language dependent portions of a software application program of *Malcolm* for a purpose of leveraging previously translated documents to improve efficiency and quality of translations.

Concerning independent claim 34, *Malcolm* further discloses:

“a processor” – a typical system for practicing the invention involves a processor 11, which contains a microprocessor (column 3, line 57 to column 4, line 4: Figures 1 and 2);

“a storage device in communication with the processor” – a source file is generated and stored via internal bus system 29 to file storage means 30 (column 4, lines 16 to 24: Figure 1).

Regarding claims 20 and 24, *Malcolm* discloses screen panels are provided for a source file 40 as sample panel 80, or as English language panel 88 (column 5, lines 1 to 43: Figures 4 and 5); translation of language dependent file 70 results in a corresponding file 100 into a German language; language dependent file 100 serves an input to panel-formatter subsystem 108, and is displayed as panel 120 (column 6, lines 25 to 60: Figures 4 and 5).

Regarding claims 21 to 22, *Malcolm* discloses changes in a software development cycle pass through various stages prior to the end product (column 10, lines 16 to 56); a log entry creates a log entry of a date and time of changes, and whether a file string is “Change” or “New” (column 11, lines 10 to 20: Table 3: Figure 4); thus, changes (“revisions”) are recorded (“updated”) in change log file 140.

Regarding claims 30 to 33, *Malcolm* discloses changes in a software development cycle pass through various stages prior to the end product (column 10, lines 16 to 56); a log entry creates a date and time of changes, and whether a file string is “Change” or “New” (column 11, lines 10 to 20: Table 3: Figure 4); here, “a user” who is preparing first and second iterations of a software program is a translator who is translating a software program through changes in development cycles; a “New” log

entry corresponds to “writing said software program”, and a “Change” log entry corresponds to “editing said software program”.

3. Claim 23 is rejected under 35 U.S.C. 103(a) as being unpatentable over *Malcolm* in view of *Peterson et al.* as applied to claim 18 above, and further in view of *Lakritz*.

Malcolm discloses all of the limitations of translating, recording a status, detecting revisions, updating, retranslating, and displaying, omitting only “a third natural language”. However, it is quite common for language translation software to provide for translation between more than two languages. Specifically, *Lakritz* teaches a translation management system for translating HTML documents into a list of languages. (Column 5, Lines 27 to 62: Figure 12) The objective is to provide translation services that are instantly available to a user as automated translation tools to incrementally update the language content of a web site. (Column 2, Lines 10 to 39) It would have been obvious to one having ordinary skill in the art to provide translation services between at least three natural languages as suggested by *Lakritz* in the method and system to support automated translations of *Malcolm* for the purpose of incrementally updating language content of a web site.

Response to Arguments

4. Applicants’ arguments filed 29 August 2006 have been considered but are moot in view of the new grounds of rejection, necessitated by amendment.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to Applicants' disclosure.

Flores et al. and Hirai et al. disclose simultaneous multilingual display of documents.

Sukeda et al., Doi et al., Takeda et al., Adachi et al., Doi, Kaji et al., and Liu et al. disclose related art.

6. Applicants' amendment necessitated the new ground of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicants are reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Martin Lerner whose telephone number is (571) 272-

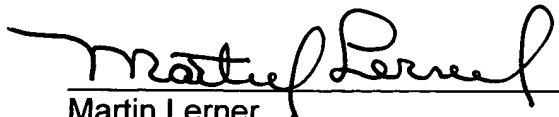
Art Unit: 2626

7608. The examiner can normally be reached on 8:30 AM to 6:00 PM Monday to Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David R. Hudspeth can be reached on (571) 272-7843. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

ML
10/20/06


Martin Lerner
Examiner
Group Art Unit 2626